

Class Action Lawsuits Alleging Violations of California's "Shine the Light" Law

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Several companies were sued at the end of last year for violations of California's "Shine the Light" law, which requires companies to take certain notification steps if sharing personal information with third parties for those third parties' advertising purposes. Those steps include having a link on the home page to a disclosure about its sharing practices called "Your Privacy Rights" or "Your California Privacy Rights" (this wording can be added to the to the privacy policy link, such as "Privacy Policy – Your Privacy Rights"). In addition, unless the company gives consumers a choice about having information shared with third parties for the third parties marketing purposes, it must respond once a year to customer inquiries about whether information has been shared for marketing purposes. Among those companies sued (all by the same attorney) were Men's Journal LLC, Conde Naste Publications, CBS Interactive, and Time, Inc. The complaints all allege that the companies violated the law by not having the proper disclosures as required by the Act.

TIP: These cases are the latest in a series of recent privacy-related class actions. They serve as a reminder that companies subject to the Act's jurisdiction, that share information with third parties for those third parties' marketing purposes, should make sure they have the appropriate "Shine the Light" disclosures in place.

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